

DIST/OFFICE	DOCKET		FILING DATE			J	N/S	O	R	R 23	\$	DEMAND		JUDGE NUMBER	JURY DEM.	YR.	DOCKET NUMBER
	YR.	NUMBER	MO.	DAY	YEAR							OTHER	NUMBER				
1085/4	76	0080	02	24	76	2	110	1			20		8509	P		76	0080-B

**PLAINTIFFS**

JACKY RAY HARPER, By and Through  
Her Next Friend, Rosetta Mae Harper

**DEFENDANTS**

~~THE UNITED STATES OF AMERICA,~~  
PRUDENTIAL LIFE INSURANCE  
COMPANY, and THELMA T. HUNDLEY

**CAUSE**

Suit on Servicemen's Group Life Insurance to enforce payment of death proceeds.

**ATTORNEYS**

Frank Gregory  
Benjamin P. Abney  
Chapel, Wilkinson, Riggs & Abney  
1640 South Boston  
Tulsa, OK 74119 587-3161

Sidney G. Dunagan,  
Gable, Gotwals, Rubin, Fox, Johnson  
& Baker  
2010 Fourth National Bg. Bldg.  
Tulsa, Ok. 74119

P. Thomas Thornbrugh(for Hundley)  
1201 Mid-Continent Bg.,  
Tulsa, Ok. 74103  
(853-5896)

☐ CHECK  
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IF CASE WAS  
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**FILING FEES PAID**

DATE	RECEIPT NUMBER	C.D. NUMBER

**STATISTICAL CARDS**

CARD	DATE MAILED
JS-5	03-01-76
JS-6	10-1-76

DATE 1976	NR.	PROCEEDINGS
2-24	1.	Complaint, filed. Summons issued. Pltf's <u>DEMAND FOR JURY TRIAL</u> . k
3-8		Return on USM service, summons & compl, filed. Served U.S.A. by serving U.S.D.A. for N.D.O. at Tulsa, OK, on 2-26-76, & by certified mail to Atty. Gen. at Wash., D. C., on 2-26-76; served Prudential Life Ins. Co. by serving State Ins. Commissioner at Oklahoma City, OK, on 3-1-76; served Thelma T. Hundley at Little Rock, AR, on 2-26-76, all w/ fees of \$11.96. k
3-22	2	Answer and counterclaim for interpleader, filed. g
4-20	3	Motion to Dismiss, filed. t (Deft's) United States)
4-20	4	Brf. in Support of Motion to Dismiss (Deft's) United States), filed. t
4-20	MO	It is ordered by the Court that Plaintiff is granted 10 days from this date to respond to The United States Motion to Dismiss. (AEB-J) t cps mld.
4-30	5	Stipulation of Dismissal of Deft. U.S.A., filed and entered. t
4-30	6	Parties Stipulation for Amendment of Complaint, filed. t
5-3-76		Summons, ret. & filed: served Thelma T. Hundley, Little Rock, Ark., 4-29-76. (USM \$4.36)g
5-4-76		Summons, ret. & filed: served Thelma T. Hundley a/k/a Thelma T. Harper, Little Rock, Ark., 5-3-76. (USM \$4.24.)g
5-17	7.	Order, filed, granting pltf. leave to amend her complaint. (AEB-J) rm-copies
5-17	8.	Amendment to Complaint, filed. rm
6-3	9.	Pltf's. application to Clerk for entry of default against deft. Thelma T. Hundley, filed. s
6-3	10.	Affidavit of Benjamin Abney of failure to plead or otherwise defend in support of application for entry of default against deft. Hudley, filed. s
6-3	11.	Affidavit of Benjamin Abney of the amount of \$20,000.00 due from the deft. Prudential Life Ins. Co., filed. s
6-3	12.	Entry of Default as to deft. Hundley, filed. (JCS-Clk)s
6-3	13.	Pltf's. motion for judgment by default by the Court as to deft. Prudential Life Ins. Co., filed. s
6-3	14.	Pltf's. affidavit in support of motion for judgment by default as to deft. Prudential Life Ins. Co., filed. s
6-4	MO	It is ordered by the Court that the Defendant Prudential Life Insurance Company file a responsive brief within ten (10) days to Plaintiff's motion for judgment by default." (AEB-J)s cps. mld. <i>6-11 Resp. to be in. O.</i>
6-14	15.	Deft. Prudential's objection to motion for judgment by default against deft. Hundley, filed. k
6-14	16	Memorandum brief in support of deft. Prudential's objection to pltf's mot. for default judgment against deft. Hundley, filed. k
6-14	MO	It is ordered by the Court that the plaintiff file a responsive brief within ten days to deft. Prudential's objection to mot. for default judgment against deft. Hundley. (AEB-J)k cps mld
6-17	MO	Case set for disposition on 7-12-76, 11:00 a.m. for hearing on Pltf's applic. for default judgment against deft. Hundley & objection of deft. Prudential Life Ins. Co. thereto. (AEB-J)b ntc by cert ml
6-29	17.	Stipulation of parties for amendment of ans. & counterclaim, filed. s
6-29	18	Amendment to answer and counterclaim of deft. Prudential Ins. Co. of America, filed. s
6-29	19.	Deft. and Counterclaimant, Prudential Ins. Co. of America's, motion to interplead defendant Thelma T. Hundley on counterclaim, filed. s O to J

continued

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF	DEFENDANT	DOCKET NO. <u>76-C-80</u>
Jacky Ray Harper etc.	Prudential Life Ins. Co., et al	PAGE <u>3</u> OF <u>2</u> sheets <del>PAGE</del>

DATE	NR.	PROCEEDINGS
1976		
7-8	20	Stipulation of pltf. & deft. Prudential for continuance of hrg. set 7-12-76 on pltf's appl. for default judgment against deft. Hundley, filed.k 0 to J
7-9 7-12	21	Appearance on behalf of Thelma T. Hundley, filed. g Case called for disposition for hearing on pltf's applic. for default judgment against deft. HUNDLEY & objection of deft. Prudential Life Ins. thereto. Parties represented. Ct. overrules default. Hundley allowed to file ans. out of time. Deft. Hundley given 60 days to file pldgs. Prudential releived from further appearance upon payment to Ct. of monies. Order signed & filed in open court enterpleading Deft. Hundley.(AEB-J)b
7-12	22	Order Interpleading Deft. Thelma T. Hundley on counterclaim of Deft. the Prudential Insur. Co., filed.(AEB-J)b copies mld
7-14	23.	Acknowledgement of service of compl., amendment thereto, & other pleadings by deft. Hundley, filed.k
7-16	24.	Order, filed, granting deft. Thelma T. Hundley a 60 day enlargement of time to answer pltf's amended complaint and deft. Prudential Insurance Co.'s Cross-Complaint, until 9-14-76. (AEB-J)s cps. mld.
9-13	25	Journal entry/that settlement agreement entered into between plaintiff and deft. Thelma T. Hundley is approved, that the claim of pltf. to such sum is superior to the claim, if any, of defendant Thelma T. Hundley, that the pltf. is entitled to the proceeds of the aforesiad ins. policy less the payment to deft. Thelma T. Hundley of \$3,000.00 and in order to effectuate the aforesaid settlement agreement the Clerk of the Court should be and is hereby directed to pay over all funds on depposit herein to Rosetta Mae Harper as next friend of Jacky Ray Harper.s (AEB-J) cps. mld.
9-23	26.	Order Nunc Pro Tunc, filed, that the Clerk is directed to issue a check jointly payable to pltf. and her counsel for the total amount of said insurance proceeds and interest. (AEB-J)ph cps mld

PLAINTIFF	DEFENDANT	DOCKET NO. _____
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NR.

## PROCEEDINGS